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**U.S. CHARGES LEADER OF CHINESE ORGANIZED CRIME
GROUP, TOP DEPUTIES AND ASSOCIATES WITH MURDER,
RACKETEERING, NARCOTICS TRAFFICKING AND OTHER CRIMES**

DAVID N. KELLEY, the United States Attorney for the Southern District of New York, PASQUALE D'AMURO, the Assistant Director in Charge of the New York Office of the Federal Bureau of Investigation, and RAYMOND W. KELLY, the New York City Police Commissioner, announced today the return of a superseding Indictment charging SUI MIN MA, a/k/a "Frank Ma," the leader of a Chinese organized crime group, HOA DUC NGUYEN, another leader in MA's group, LUYEN DAO NGUYEN, WILLIAM NAGATSUKA, BING YI CHEN, and PAUL CAI, with racketeering, murder, heroin trafficking and other crimes.

The Indictment charges FRANK MA with leading a criminal enterprise, termed the "Frank Ma Organization," that committed several murders and engaged in heroin trafficking, interstate transportation of stolen vehicles, robberies of computer chip

companies and illegal gambling. The Frank Ma Organization is alleged to have operated principally in New York and California from 1993 through 2003. HOA DUC NGUYEN and LUYEN DAO NGUYEN are charged, along with MA, with participating in a racketeering conspiracy relating to their roles in the Frank Ma Organization.

All six defendants are charged with participating in the murders of Kwan Kin Ming and Yip Pak Yin, which occurred in Toronto, Canada, on July 20, 1994. In addition, FRANK MA is charged with participating in the murder of Harry Huang, which occurred in California on April 26, 1993. MA is also charged with two counts of heroin trafficking that occurred in 1998 and 1999.

1994 TORONTO MURDERS

According to the Indictment, as well as several Complaints previously filed in this case, Kwan Kin Ming and Yip Pak Yin were both shot to death in ground floor offices of the Seafood Alliance Company in Toronto, Canada, on July 20, 1994. In the vicinity of the crime scene, law enforcement officers found, among other things, a nine millimeter handgun and parts for a second nine millimeter handgun. Ballistics testing matched these two guns to the shootings of Ming and Yin. Until the charges in this case were filed in the Southern District of New York, no charges had been brought nor had any arrests been made for these 1994 murders.

The Indictment alleges that in 1994, FRANK MA, who was then living in Rego Park, Queens, was asked by one of his main heroin trafficking suppliers in China to kill another individual who worked at a seafood company in Toronto, Canada. At the time, MA and his followers were importing wholesale quantities of heroin worth millions of dollars from Asia into the United States for distribution in New York City and elsewhere. MA, it is alleged, agreed to have the murder carried out for his heroin supplier, and all six of the defendants charged met in New York City to plan the murder.

It is alleged that in the Spring and early Summer of 1994, several of MA's associates, including BING YI CHEN, traveled to Toronto in order to locate the intended victim. Eventually, in late July 1994, HOA DUC NGUYEN, LUYEN DAO NGUYEN, WILLIAM NAGATSUKA, and PAUL CAI allegedly drove from New York to Toronto to carry out the murder. Upon arriving at the seafood company, it is alleged that LUYEN DAO NGUYEN and PAUL CAI, each armed with a handgun, entered the offices of the company and shot and killed Kwan Kin Ming and Yip Pak Yin, who were inside the offices. However, neither Ming nor Yin were in any way involved in MA's drug trafficking activities and were not the intended target. It is also alleged that FRANK MA was later informed that the intended target in Toronto had not been killed.

DECADE-LONG RACKETEERING CHARGES ALLEGED

According to the Indictment, the Frank Ma Organization is alleged to have operated in the Southern and Eastern Districts of New York, and the Central and Northern Districts of California, which encompass Los Angeles and San Francisco, between 1993 through in or about June 2003. FRANK MA is alleged to have been the leader or "Dai Lo" of the organization and HOA DUC NGUYEN was another of the leaders of the organization who reported directly to FRANK MA. It is alleged that the leaders, members and associates of the Frank Ma Organization sought to further their criminal enterprise through murder, conspiracy to commit murder, narcotics trafficking, robbery, transporting stolen vehicles interstate, alien smuggling and illegal gambling. In particular, the Frank Ma Organization is alleged to have committed the following acts:

- (1) the planning of the murder and the murder of Harry Huang in New York and California in April 1993;
- (2) the distribution of kilogram quantities of heroin in the New York City area from 1993 to 1995;
- (3) the planning of the murder and the murder of Kwan Kin Ming and Yip Pak Yin in New York and Toronto in July 1994;
- (4) the interstate transportation of stolen vehicles in California and elsewhere from 1994 to 1996;
- (5) the planning of robberies and the robberies of computer chip companies in California from 1995 to 1996;
- (6) the operation of an illegal sports betting business in California and elsewhere from 1994 to 1995; and
- (7) the distribution of heroin in New York City from 1998 through 1999.

* * *

FRANK MA, 51, formerly resided in Rego Park, Queens. HOA DUC NGUYEN, 38, previously resided in southern California, but was living in China at the time of his arrest. NGUYEN was apprehended in China and was rendered to the United States by the Peoples Republic of China, through the assistance of the PRC's Ministry of Public Security. This is the first time that China has rendered a defendant to the United States for prosecution.

All six defendants are charged with committing a murder while engaged in a narcotics conspiracy arising from their participation in the 1994 Toronto murders. This charge carries a maximum sentence of death.

FRANK MA is also charged with committing a murder while engaged in a narcotics conspiracy arising from his participation in the 1993 murder of Harry Huang. This charge also carries a maximum sentence of death.

FRANK MA, HOA DUC NGUYEN, and LUYEN DAO NGUYEN are charged with participating in a racketeering conspiracy and FRANK MA is charged with one substantive count of racketeering. Each of these counts carries a maximum sentence of life in prison.

FRANK MA is also charged with conspiring to distribute heroin and distribution of heroin in 1998 and 1999. Each of these counts carries a maximum sentence of life in prison.

Mr. KELLEY praised the efforts of the FBI's Asian Organized Crime Task Force, comprised of Special Agents of the FBI and Detectives of the NYPD, for their work on the investigation. Mr. KELLEY also praised the Combined Forces Special Enforcement Unit, a Toronto-based Asian Organized Crime Task Force, and the Toronto Police Service for the vital and ongoing assistance they have provided in the investigation, as well as the Ministry of Public Security of the Peoples Republic of China for its assistance in apprehending HOA DUC NGUYEN.

Assistant United States Attorneys JOON H. KIM and BENJAMIN M. LAWSKY are in charge of the prosecution.

All six defendants are in custody. The charges contained in the Indictment are merely accusations, and the defendants are presumed innocent unless and until proven guilty.

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